

**From:** Bevens, Len  
**To:** Microsoft ATR  
**Date:** 1/24/02 11:59am  
**Subject:** Microsoft Settlement

Dear Sir or Madam,

The settlement achieved between Microsoft, the Department of Justice, and a bipartisan group of State Attorneys General in the original antitrust case against Microsoft is in the interest of consumers and the high-tech industry. I ask that it be accepted by the Court.

At a specific level the Revised Proposed Final Judgment ("RPFJ"), represents over 5 weeks of dialogue between Microsoft, the United States, and the plaintiff States undertaken at Court's own instruction that the parties "steadfast in their efforts to reach a mutually agreeable resolution." According to neutral experts, this effort culminated in a RPFJ that goes considerably further than the Court of Appeals' decision could be reasonably said to warrant. For example, the RPFJ offers relief on the issue of "client-server interoperability", which was not addressed either at trial or by the Court of Appeals.

At a general level, continuing litigation in this case or similar ones, such as that filed by AOL on Tuesday, January 22, are a detriment to consumers and the high-tech industry because they require that massive resources be diverted from market place competition and cooperation. It is engagement in these two situations that advances the rich benefits technology brings to our lives both at home and work.

I would welcome the opportunity to discuss this with you or to respond to your inquiries. I may be reached by phone at work: (513) 745-2157 or home: (513) 941-3680 or by e-mail: lenb@gasullivan.com.

Sincerely,  
Leonard W. Bevens